REMARKS

This Amendment is in response to the Office Action dated March 2, 2010. Applicant respectfully requests reconsideration and allowance of all pending claims in view of the above-amendments and the following remarks.

I. CLAIM AMENDMENTS

The claim amendments correspond to those presented in the Amendment After Final dated August 27, 2009, but not entered by the Examiner.

In addition, claim 12 is amended in response to the following issues raised in the present office action.

Finally, several amendments are made to various claims to improve antecedent basis or grammar.

These amendments are not made in view of any prior art reference.

II. OBJECTIONS/REJECTIONS OF CLAIM 12

The specification was objected to as failing to provide proper antecedent basis for the "computer readable medium" recited in claim 12.

Also, claim 12 was rejected under 35 U.S.C. §101 as being directed to allegedly non-statutory subject matter.

While Applicant respectfully disagrees, claim 12 is amended to address the objections to claim 12.

The term "computer readable medium" is replaced with "computer readable memory", which is clearly supported in FIG. 2 and in the last two paragraphs on page 14, for example. This section refers to a "memory" (or more generally storage means) and states that the memory "can be read by a computer".

With respect to the rejection under §101, claim 12 no longer refers to "a medium", but now refers more specifically to a "memory", which is clearly a device that is non-transitory in

view of the description appearing on page 14 of the specification. Thus, addition of the term "non-transitory" to claim 12 and to the specification appears not necessary.

Applicant respectfully requests that the objection/rejection of claim 12 be withdrawn.

III.   CLAIM REJECTIONS – 35 USC § 103

Claims 1, 2 and 11 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weinstein et al., U.S. Publication No. 2002/0191572 in view of Chang et al., U.S. Publication No. 2004/0215635 and in further view of Stephenson et al., U.S. Publication No. 2002/0023143.

Claims 3-9, 12, 15 and 16 were rejected under 35 U.S.C.§ 103(a) as being allegedly unpatentable over Weinstein, Chang and Stephenson and in further view of Prasad et al., U.S. Patent No. 7,197,125.

Claim 10 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weinstein, Chang and Stephenson in further view of Addington et al., U.S. Patent No. 7,194,756.

Claim 13 was rejected under 35 U.S.C. §`103(a) as being allegedly unpatentable over Prasad in view of Addington.

A.   **Examiner's Position**

According to the Examiner (§ 6 of the Office Action), Weinstein discloses the preamble and step 1 of claim 1 in which one determines the compatibility of the software of the client with a predetermined access control protocol for access to the virtual network based on figure 9 and § [0021] et [0069] of Weinstein.

According to the Examiner (§ 8 of the Office Action), Chang discloses step 2 of claim 1 according to which if the software of the client and the predetermined access control protocol are not compatible, data transfer is conducted between the client and at least one subscription system for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network which allows the client to access the services of the or each service provider.

The Examiner then considers (§ 11 of the Office Action) that Stephenson discloses step 3

of claim 1 according to which if the non-compatible client subscribes to at least one service provider via the authentication network, one transfers to the non-compatible client an authentication for accessing the virtual network which allows access to the services of the service provider to which the non-compatible client is subscribed and information which makes it possible to make the software of the client compatible with the predetermined access control protocol.

The Applicant disagree with the above Examiner's analysis.

C.   Weinstein

Weinstein discloses a telecommunication network comprising a public access network supporting virtual local networks (VLAN). A VLAN is controlled by a virtual operator and comprises an authentication system.

Weinstein discloses (§ [0093]) an authentication protocol of a mobile appliance which associates with an access point. The access point assigns the mobile appliance a dynamic IP address. The mobile subscriber then initiates an authentication or login session with his/her service provider (virtual operator) through the access point. The mobile appliance and the virtual operator's Radius server authenticate each other through RADIUS protocol message exchange based on a challenge/response scheme.

Contrary to the Examiner's opinion, Weinstein does not disclose or suggest step 1 of claim 1. Figure 9 and §§ [0021] and [0069] cited by the Examiner only describe the functioning of a PAMLAN network in which services are provided by several virtual operators that a mobile subscriber can access through an access point. The Examiner's interpretation of Weinstein on this aspect is thus erroneous.

Current claim 1 is thus new and not obvious in view of Weinstein. In line with the Examiner's analysis, Weinstein also does not disclose or suggest steps 2 and 3 of current claim 1 either.

D.   **Chang**

Chang discloses a content management system (102), which can provide a user (136) content stored in a compatible repository (104), i.e., a repository which is accessible with the interface and the protocol implemented by the system (102), or in a non-compatible repository (106). The system (102) implements a metadata registry (122) comprising tables which associate metadata with content stored in the compatible and non-compatible repositories.

The Applicant disagrees with the Examiner's broad interpretation of step 2 of current claim 1.

Contrary to the Examiner's opinion (point 8 of his Office Action), Chang does not disclose or suggest the aspect according to which « data is transferred between the client and at least one subscription system for subscribing the client to at least one service provider via an authentication network, which is different from the or each virtual network that allows the client to access the services of the or each service provider ».

Also, there is no teaching or suggestion to combine Weinstein and Chang since Chang is concerned with a system and method for processing administrative data, and Weinstein concerns the architecture of a public wireless local network and its associated command and data protocols and data.

Current claim 1 is thus new and not obvious in view of Chang.

E.   **Stephenson**

Stephenson concerns a system and method for exchanging information between clients 101, 115 separated by two firewalls 106, 113, a server 107 located between these firewalls relaying the information between the clients without lowering the security levels of the firewalls.

Contrary to the Examiner's opinion (point 19 of his Office Action), Stephenson does not disclose or suggest step 3 of claim 1 according to which « in case the non-compatible client subscribes to at least one service provider via the authentication network, one transfers to the non-compatible client an authentication for accessing the virtual network that allows access to the services of the service provider to which the non-compatible client is subscribed and

information which makes it possible to make the software of the client compatible with the predetermined access control protocol ».

In Stephenson, the compatiblity of the client (101) software (104) is verified (see [0060]) during the establishment of a communication between the client and the server 107. If the software is not compatible, the request for establishing communication is terminated (see [0103] and [0104]).

It is nowhere mentioned in Stephenson that the software of the client is made compatible with the access control protocol used in the telecommunication network.

Current claim 1 is thus new and not obvious in view of Stephenson.

F.   **Summary of the Above**:

1.   Combination Fails to Disclose Claim Elements

Weinstein does not disclose or suggest step 1 of claim 1 in which « one determines if a software of the client and a predetermined access control protocol for access to the virtual network are compatible » ;

Chang does not disclose or suggest step 2 of claim 1 in which « data is transferred between the client and at least one subscription system for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network that allows the client to access the services of the or each service provider » ; and

Stephenson does not disclose or suggest step 3 of claim 1 in which, « according to which « in case the non-compatible client subscribes to at least one service provider via the authentication network, one transfers information which makes it possible to make the software of the client compatible with the predetermined access control protocol ».

Current claim 1 is thus new in view of these documents.

2.   Not Obvious to Combine or Modify

A non-limiting example of the present disclosure allows clients with varied equipment and software to subscribe to a service provider, and thus to one or more services, even if such

clients do not have software that is compatible with the access control protocol used in the telecommunication network (IEEE 802.1x protocol for instance). In other words, an example of the present disclosure makes « non compatible client » compatible. None of the documents cited by the Examiner aims at making a client (having non compatible software) compatible. Thus, a person of ordinary skill in the art would not be lead in any way by these references to a combination or attempt a modification that would result in the methods or apparatus claimed herein.

Also, there is no evidence to combine the above documents, in particular Weinstein and Chang since Chang is concerned with a system and method for processing administrative data, and Weinstein concerns the architecture of a public wireless local network and its associated command and data protocols and data.

Current claim 1 (and similarly the remaining claims) is thus not obvious in view of the documents cited by the Examiner taken alone or in combination.

G.   **Independent Claims 11, 12 and 13**

For the same reasons, current independent claim 11 and amended claim 12 are new and not obvious in view of the documents cited by the Examiner taken alone or in combination.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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